

ORIGINAL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

05 APR 27 P1 43

MARIA LOTOCZKY,

Plaintiff,

v.

Hon. John Corbett O'Meara
Case No. 04-74365
Magistrate Judge R. Steven Whalen

CONNECTED VENTURES, LLC,

Defendant.

SAKIS & SAKIS, PLC By: Jason R. Sakis (P59525) 3250 West Big Beaver Rd., Ste. 123 Troy, Michigan 48084 (248) 649-1160 Attorneys for Plaintiff	
KUBER LAW GROUP, P.C. By: Douglas A. Kuber 575 Madison Avenue, 10 th Floor New York, New York 10022 (212) 813-2680 Attorneys for Defendant	DRAPER & RUBIN, P.L.C. By: David Draper (P43750) 18580 Mack Avenue Grosse Pointe Farms, Michigan 48236 (313) 885-6800 Co-Counsel for Defendant

WRITTEN REPORT PURSUANT TO RULE 26(f)

1. **Conference.** Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, a telephonic conference was held on April 10, 2005, and was attended by Jason Sakis, on behalf of the plaintiff, and Douglas Kuber, on behalf of the defendant.
2. **Required Exchange.** The parties will exchange by April 15, 2005, via both facsimile and U.S. Mail, the information required by Fed. R. Civ. P. 26(a)(1).
3. **Discovery Plan.** The parties jointly propose to the Court the following

discovery plan:

A. Discovery will be needed on the following subjects, although each party reserves the right to contest the necessity or propriety of any particular subject: The circumstances surrounding the taking, sharing and safeguarding of the photograph at issue; security controls used by the defendant to ascertain the true identity of those who submit pictures to be displayed on the internet; advertising, profits and the overall finances of the defendant; the circumstances surrounding the manner in which the photograph was posted on and removed from the defendant's website; the circumstances surrounding the dissemination to supervisors and co-workers of plaintiff at GMAC of emails containing a link to the photograph; the circumstances and reasons why plaintiff ceased working at GMAC; and the nature and extent of plaintiff's alleged injuries and damages.

B. All discovery, other than depositions of any retained experts under Rule 26(a)(2), shall be commenced in time to be completed by October 14, 2005. Depositions of any retained experts under Rule 26(a)(2) shall be completed by December 15, 2005.

C. The limits set forth in the Federal Rules shall not be altered with respect to the maximum number of interrogatories or requests for admission by each party to the other party.

D. Each deposition, other than of plaintiff and defendant, shall be limited to eight hours, unless extended by the agreement of the parties.

E. Reports of retained experts under Rule 26(a)(2) shall be due from plaintiff by November 1, 2005, and from defendant by December 1, 2005.

F. Supplementations under Rule 26(e) shall be due monthly.

4. **Other Items.**

A. The parties request a pre-trial conference in March 2006.

B. All potentially dispositive motions must be filed by December 30, 2005.

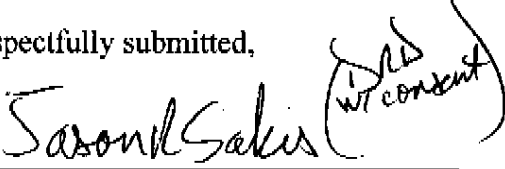
C. The parties have engaged in discussion regarding settlement, but settlement is not likely at this time.

D. Final lists of witnesses and exhibits under Rule 26(a)(3) shall be due from plaintiff by February 1, 2006, and from defendant by February 15, 2006. Parties should have until February 28, 2006 to list objections under Rule 26(a)(3).


E. The case should be ready for trial by March 15, 2006.

Respectfully submitted,

By:


Jason R. Sakis
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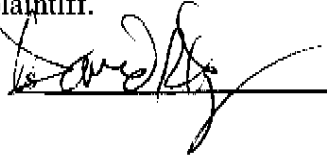
By:


Douglas A. Kuber
KUBER LAW GROUP, P.C.
Attorneys for Defendant
575 Madison Avenue, 10th Floor
New York, New York 10022
(212) 813-2680

Dated: April 14, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that on this 27th Day of April, 2005, she/he did cause to be served by hand upon the Court only and upon all parties by U.S. Mail a copy of this document on counsel of record for plaintiff.

A handwritten signature in black ink, appearing to be "L. A. Wolff", is written over a horizontal line.

April 27, 2005